

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RICARDO COPANTITLA, DIEGO DIAZ DE LA VEGA,
IGNACIO GARCIA, FREDDY GUACHUN, JULIO
LANTIGUA, MANUEL LIZANDRO, MARTIN LOPEZ,
SEBASTIAN LOPEZ, AUGUSTIN MALDONADO,
HENRY MATUTE, JOELITO MELENDEZ,
AUSSENCIO RAMIREZ, and JOSE LUIS VARGAS,

Plaintiffs,

-against-

FISKARDO ESTIATORIO, INC. d/b/a THALASSA
RESTAURANT, GEORGE MAKRIS, JULIA MAKRIS,
STEVE MAKRIS, and FANTIS FOODS, INC.,

Defendants.

Case No. 09 Civ. 1608
(RJH)(JCF)

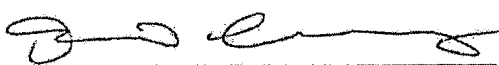
STIPULATION OF
DISMISSAL

IT IS HEREBY STIPULATED AND AGREED by and among all Plaintiffs and Defendants Fiskardo Estiatorio, Inc. and Steve Makris, that (1) Plaintiffs' claims against Fiskardo Estiatorio, Inc. and Steve Makris under the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.* (i.e. the First and Third Causes of Action in the Second Amended Complaint) be dismissed without prejudice and that (2) all of Plaintiffs' remaining claims against Defendants Fiskardo Estiatorio, Inc. and Steve Makris in this action (i.e. the Second and Fourth through Thirteenth Causes of Action in the Second Amended Complaint) be dismissed with prejudice, with no award of counsel fees or costs by the Court to either side.


This Court shall retain jurisdiction over this action to enforce the General Release and Settlement Agreement, dated November 3, 2011 (the "Settlement Agreement"), until performance in full of the terms of the Settlement Agreement, notwithstanding the dismissal of this action.

Dated: New York, New York
November 22, 2011


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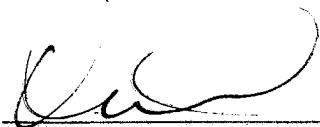
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SO ORDERED:

Dated: New York, New York

_____, 2011

The Hon. Richard J. Holwell
U.S. District Judge